

Notice of Allowability

Application No.

10/693,590

Examiner

Kuen S. Lu

Applicant(s)

HARRIS, ELBERT

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to December 15, 2005.
2. ☒ The allowed claim(s) is/are 1-9 and 11-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>#1-1/6/06</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 15, 2005 has been entered.
2. After a thorough search and examination of the present application, and in light of the prior art made of record and Applicant's response of December 15, 2005, Claims 1-9 , 11-22 and 24-25 are allowed.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Bryan P. Stanley (Registration: 44,352) on January 6, 2006. The interview summary is attached.

Page 1 of the Specification has been amended by inserting the title before the section of BACKGROUND OF THE INVENTION as follows:

TITLE: CONSTRUCTION PROJECT SUBMITTAL MANAGEMENT

The Claims has been amended as follows:

1. (Currently Amended) A computer implemented method for managing submittal requirements for a construction project, said method comprising the steps of:
providing a first database containing information related to managing a construction project having stored therein a plurality of requirements for the construction project including a set of required specifications for materials necessary to meet design parameters for the construction project; and
providing a second database containing specific information on system users;
providing a third database containing information on submittal documents to be completed and approved as part of a project, said submittal documents including a set of actual material specifications to meet said set of required specifications; and
providing a computer network including a plurality of user computer access points, said network including a subscriber access point for use by a subscriber to said system, said subscriber access point having full access to enter, to read and to change information in said first, second and third databases, wherein said subscriber changes information in said first database by providing at least said set of required specifications, said network further including a contributor access point for use by a contributor to said submittal documents, said contributor access point having access to read information in said first and second databases and access to enter, read and change information in said third database to provide said set of actual material specifications to meet said set of required specifications,

said network further including a responder access point for use by a responder, said responder access point having access to read information in said first, second and third database and having the ability to approve said submittal documents; posting a completed submittal, including said set of actual material specifications, to said network for review by said responder following completion by said contributor; and approving said completed submittal electronically by said responder via said network; and archiving completed submittal documents by said subscription service provider for future retrieval.

3. (Currently Amended) A computer network implemented method providing for managing preparation of submittal documentation for a construction project said method comprising the steps of:

providing a first database for receiving and storing information related to preparing a submittal document for a construction project, receiving therein requirements for the construction project submittal, including a set of required specifications for materials necessary to meet design parameters for the construction project;

providing a second database for storing information about system users; providing a third database for storing, retrieving and displaying submittal documents to be completed and approved as part of the construction project, said submittal document including a set of actual material specifications to meet said set of required specifications;

providing for a computer network including a plurality of user computer accessible points for accessing said first, second and third databases, wherein said databases are controlled by a subscription service provider; receiving information via said computer network from a subscriber access point having full access to read and to change information in said first, second and third databases, wherein said subscriber access point provides information to change information in said first database by providing at least said set of required specifications; receiving information via said computer network from a contributor access point having access to read only information in said first and second databases and access to read and change information in said third database to provide said set of actual material specifications to meet said set of required specifications; and
archiving completed submittal documents by said subscription service provider for future retrieval.

10. (Currently Cancelled).

11. (Currently Amended) A computer network system comprising:

a first database for receiving information related to a submittal document for a construction project, receiving therein a plurality of requirements for the construction project submittal, including a set of required specifications for materials necessary to meet design parameters for the construction project;
a second database for system users that receives a plurality of specific information about system users;

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a third database for submittal documents to be completed and approved as part of the construction project, said submittal document including a set of actual material specifications to meet said set of required specifications;

a computer network including a plurality of user computer accessible points for accessing said first, second and third databases, wherein said databases are controlled by a subscription service provider;

a subscriber access point having full access to read and to change information in said first, second and third databases, wherein said subscriber access point changes information in said first database by providing at least said set of required specifications;

and a contributor access point having access to read only information in said first and second databases and access to read and change information in said third database such that said contributor can complete said submittal document by providing said set of actual material specifications to meet said set of required specifications and submit said submittal document via said computer network for approval; and

archiving completed submittal documents by said subscription service provider for future retrieval.

23. (Currently Cancelled).

26-38. (Currently Cancelled).

Reason for Allowable

4. The following is an examiner's statement of reasons for allowance:

In the Examiner's Office Action for Final Rejection of August 17, 2005, 35 U.S.C. 35 U.S.C. § 103, rejections was primarily based on the reference of Wright et al. (U.S. Patent 6,581,040 "PROJECT SPECIFIC COMMUNICATIONS SYSTEM AND METHOD", issued on June 17, 2003, hereafter "Wright") and further in view of reference of Thompson (U.S. Patent 6,393,410, "PROCESS AND SYSTEM FOR LISTING INFORMATION RELATING TO A CONSTRUCTION PROJECT OVER A COMPUTER NETWORK", issued on May 21, 2002).

In the Remarks filed on October 17, 2005, the Applicant specifically pointed out that the references either individually or in combination does not teach the claimed feature of constructing and managing submittals for the construction project. In the amendments filed on December 15, 2005, the Applicant further limited the claimed subject matter to material specification for meeting the design parameters. On an interviewed conducted on January 6, 2006, the Applicant agreed to Examiner's Amendments for confining the same scope of claimed subject matter across the independent claims by incorporating the archiving element into claims 1, 3 and 11, and canceling claims 10 and 26-38.

After further review of the search results previously conducted and Applicant's most currently amended claims, and consideration of the above Remarks, the Examiner is convinced that the prior art made of record does not teach the subject matter combined in the elements of every independent claim.

An expanded and update search for the prior arts on EAST database and on domains (EAST, NPL-ACM, Google, NPL-IEEE, Oracle, etc.) has been conducted. The prior arts searched and investigated in the database and domains does not fairly teach or suggest

the teaching of the claimed subject matter as reflected by the combined elements in the independent claims 1, 3, 11 and 14.

The dependent claims in the groups (2 and 19-20), (4-9 and 21-22), (12-13 and 24) and (15-25), depending claims 1, 3, 11 and 14, respectively, also distinct from the prior art for the same reason.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Contact Information

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:30 am - 5:30 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Jean R. Homere, Esq. can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu, 

Patent Examiner,

January 6, 2006

